

1 CRAIG SMITH

2 5-21-118, PO. Box 799005

3 SAN DIEGO, CA. 92179

4 CDC # T09268

FILED

NOV 19 2007

CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
BY *[Signature]* DEPUTY5
6 UNITED STATE DISTRICT COURT

7 SOUTHERN DISTRICT OF CALIFORNIA

8 07CV2077 BTM (RBB)

9 CRAIG SMITH }

CIVIL CASE NO.

10 PLAINTIFF }

(TO BE SUPPLIED BY COURT CLERK)

11 V. }

12 DAN LINK, NICHOLAS GONZALEZ, }

AMENDMENT TO TAKE JUDICIAL

13 JUDGE ALBERT HARUTUNIAN III, }

NOTICE OF SUPERIOR COURT FILE

14 CITY OF SAN DIEGO , }

NO. SC0195342, COUNTY OF

15 COUNTY OF SAN DIEGO , }

SAN DIEGO IN ITS ENTIRENESS

16 DEFENDANTS }

17 COMPLAINT UNDER THE CIVIL RIGHTS

18 ACT 42 U.S.C. § 1983

19
20 IT COME NOW THIS DAY OF NOVEMBER 12, 2007, THE PLAINTIFF CRAIG SMITH

21 UNDER FEDERAL CIVIL PROCEDURE, 657.5 (1) - COURT MUST LIBERALLY INTERPRET THE COMPLAINT OF A

22 PRO SE PLAINTIFF, THE PLAINTIFF NOT KNOWING IF THIS HONORABLE COURT SELF MOVES TO

23 SUPERIOR COURT FILE # SC0195342, AND AS OF ATTORNEY AND CLIENT-62, PRO SE STATUS MUST BE

24 COMPLIANCE WITH RELEVANT RULES, AND CIVIL RIGHTS 1394, THE PLAINTIFF DEEMS IT APPROPRIATE TO

25 HEREBY REQUEST THIS HONORABLE COURT TO TAKE JUDICIAL NOTICE OF SUPERIOR COURT FILE NO.

26 SC0195342 IN ITS ENTIRELY, LOCATED AT SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN

27 DIEGO, 220 WEST BROADWAY, SAN DIEGO, CALIFORNIA. 92101

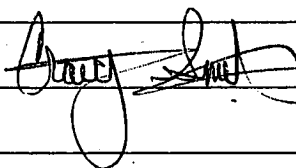
28 THE COMPLAINT IS, IN ITS VERY EARLY STAGE, FOR THE PLAINTIFF FILED

1 IT, VIA MAIL FROM RICHARD J. DONOVAN CORRECTIONAL FACILITY ON OCTOBER 23, 2007,
2 AND HAS YET TO RECEIVE A CIVIL CASE NO., DUE TO THE PLAINTIFF'S UNCERTAINTY OF THE
3 COURT'S SELF MOVING PROCESS. THIS REQUEST IS HEREBY MADE.

4 AND THE FACT THAT THE PLAINTIFF HAS NOT RECEIVED THE CIVIL CASE NO. FROM
5 THIS COURT, AND THE COURT DEEMS IT TO BE REQUIRED ON THIS "AMENDMENT", THE
6 PLAINTIFF RESPECTFULLY REQUEST TO BE TOLD SO, IF RESUBMITTING IS NEEDED.

7
8 I CRAIG SMITH DECLARE UNDER THE PENALTY OF PERJURY OF THE LAWS OF
9 THE STATE OF CALIFORNIA THAT THE ABOVE STATEMENTS IS TRUE AND CORRECT,
10 EXECUTED AT THE RICHARD J. DONOVAN CORRECTIONAL FACILITY, SAN DIEGO, CALIFORNIA
11 ON THE 12 DAY OF NOVEMBER, 2007

12 RESPECTFULLY

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PROOF OF SERVICE BY MAIL

STATE OF CALIFORNIA)
) SS
 COUNTY OF SAN DIEGO)

CRAIG SMITH T09268

[C.C.P. §§ 446, 2015.5; 28 U.S.C. §1746]

I, James Humphrey, am a resident of the State of California and am over the age of eighteen years and am not a party to the above-entitled action. My address is listed below.

On NOVEMBER 12, I served the following documents:

AMENDMENT TO TAKE JUDICIAL NOTICE OF SUPERIOR COURT FILE # SC0196342

• COPIES ARE ALSO PROVIDED TO THE DEFENDANTS AT BELOW ADDRESS

by placing a true copy thereof enclosed in a sealed envelope with First Class postage thereon fully prepaid in the United States Mail by delivering to prison officials for processing through the Institution's internal legal mail system at San Diego California, addressed as follows::

CLERK OF U.S. DISTRICT COURT
 ROOM 4240
 880 FRONT STREET
 SAN DIEGO, CA. 92101-8900

COUNTY CLERK
 COUNTY ADMINISTRATION CENTER
 1600 PACIFIC HIGHWAY, S
 SAN DIEGO, CA. 92101

CITY CLERK
 CITY OF SAN DIEGO COUNCIL OFFICES
 202 C ST.
 SAN DIEGO, CA. 92101

CLERK OF COURT
 SUPERIOR COURT OF CALIFORNIA
 COUNTY OF SAN DIEGO
 220 W. BROADWAY
 SAN DIEGO, 92101

DAN LUK - D.A.
 NICHOLAS GONZALEZ - SODD-OFFICER
 ALBERT HARUTUNIAN III - HON. JUDGE

I declare under penalty of perjury under the laws of the State of California and the United States of America that the foregoing is true and correct. Executed in the County of San Diego, California on 11-12-07 James Humphrey

JAMES HUMPHREY

21-116

P.O. Box 92179

San Diego, CA 92179-900 5

Pursuant to the holding of the United States Supreme Court in Houston v. Lack 108 S. Ct. 2379, 487 U.S. 266, 101 L.Ed.2d 245 (1988) and FRAP, Rule 4 (c) inmate legal documents are deemed filed on the date they are delivered to prison staff for processing and mailing via the Institution's internal legal mail procedures.